

UNREDACTED
VERSION OF EXHIBIT 2
SOUGHT TO BE FILED
UNDER SEAL IT ITS
ENTIRETY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

--oOo--

WAYMO LLC,

Plaintiff,

Case

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

_____/

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF KRISTINN GUDJONSSON

VOLUME II (Pages 243 to 467)

FRIDAY, SEPTEMBER 8, 2017

Reported by:

Anrae Wimberley

CSR No. 7778

Job No. 2703751

Pages 243 - 467

Page 243

1 A. It's an e-mail. 11:46:59

2 Q. It's an e-mail from Michael Pfyl to you and 11:47:05

3 Heather Adkins; correct? 11:47:09

4 A. Yes. 11:47:09

5 Q. Dated August 1st, 2015? 11:47:13

6 A. Yes. 11:47:13

7 Q. Is it fair to say that Mr. Pfyl is adding you 11:47:16

8 to a chain, e-mail chain, discussing an investigation 11:47:21

9 into Otto employees? 11:47:25

10 A. He's talking about an ongoing investigation 11:47:28

11 into former -- 11:47:30

12 (Reporter seeks clarification.)

13 A. -- Chauffeur or Waymo employees. 11:47:35

14 Q. And specifically if you look two e-mails 11:47:38

15 down, starting with Mr. Pfyl's e-mail on July 29th, he 11:47:47

16 writes, "Specifically, [REDACTED]

17 [REDACTED] and leadership has 11:47:53

18 expressed concerns that Otto may be poaching our IP"; 11:47:57

19 correct?

20 A. That is what the e-mail says. 11:48:02

21 Q. And above that, there's an e-mail from Kevin 11:48:06

22 Vosen? 11:48:06

23 A. Yes. 11:48:06

24 Q. Who is Kevin Vosen? 11:48:08

25 A. I believe he's the general counsel of Waymo. 11:48:10

1	A. Sorry. 29415.R.	16:47:24
2	-- that it got reimaged on 2015-10-16. So	16:47:37
3	not the day before. Sorry about that.	16:47:41
4	Q. It was actually reimaged in --	16:47:45
5	A. In October.	16:47:47
6	Q. Of 2015?	16:47:48
7	A. Yes. That's when it was reimaged as a	16:47:52
8	laptop. This is the final conclusion. The other one	16:48:00
9	is still a work in progress.	16:48:02
10	Q. This is kind of what I was getting at.	16:48:04
11	A. Yeah.	16:48:05
12	Q. Let me make sure the record is clear on this.	16:48:07
13	Your original suspicion -- let me restate.	16:48:12
14	Your original belief that the G laptop had	16:48:15
15	been reformatted on the day Anthony Levandowski left	16:48:19
16	you determined was incorrect; is that right?	16:48:23
17	MR. BAKER: Objection to form.	16:48:25
18	THE WITNESS: That was one original hypothesis	16:48:28
19	that, yes, got later disproved. It looks like that.	16:48:34
20	MR. BAKER: For the record, can you point out,	16:48:36
21	Mr. Gudjonsson, what you're looking at right now.	16:48:39
22	THE WITNESS: I'm looking at page 29415 and 29416	16:48:44
23	of the host forensic records, Exhibit 2260, which is	16:48:47
24	the detailed timeline of Anthony L. G laptop.	16:48:55
25	BY MR. CHATTERJEE:	16:48:55

1 Q. When you made your final conclusion, you 16:48:58
2 realized that Mr. Levandowski's G laptop had not been 16:49:04
3 reformatted on the day that he left Google, but 16:49:07
4 instead had been reformatted on October 16th, 2015; is 16:49:13
5 that right? 16:49:14
6 A. Yes. 16:49:14
7 Q. Can you tell me what page you're looking at 16:49:21
8 there. 16:49:22
9 A. 29416. We can see the detailed timeline. 16:49:32
10 Q. Let me ask you one question about this page. 16:49:35
11 If you look at the 18:15:10 time entry. 16:49:41
12 A. Sorry. Which time? 16:49:42
13 Q. It's the second-to-the-last box. 16:49:44
14 A. Okay. On the 31st. 16:49:47
15 Q. It says, "Last syslog entries from 16:49:50
16 anthony1-glaptop's machine." 16:49:53
17 A. Yes. 16:49:54
18 Q. What is "syslog"? 16:49:54
19 A. Syslog is the main logs from a Linux system. 16:50:02
20 It's the system logs. 16:50:04
21 Q. Is that stored locally or is that also -- 16:50:06
22 A. It's stored locally and then centrally 16:50:10
23 collected. 16:50:11
24 Q. So there is a central place --
25 A. Yes --

1 FEDERAL CERTIFICATE OF DEPOSITION OFFICER
2 I, ANRAE WIMBERLEY, CSR NO. 7778, do hereby
3 declare:

4 That, prior to being examined, the witness named
5 in the foregoing deposition was by me duly sworn
6 pursuant to Section 30(f)(1) of the Federal Rules of
7 Civil Procedure and the deposition is a true record of
8 the testimony given by the witness;

9 That said deposition was taken down by me in
10 shorthand at the time and place therein named and
11 thereafter reduced to text under my direction;

12 ----- That the witness was requested to
13 review the transcript and make any changes to the
14 transcript as a result of that review pursuant to
15 Section 30(e) of the Federal Rules of Civil Procedure;

16 ----- No changes have been provided by the
17 witness during the period allowed;

18 ----- The changes made by the witness are
19 appended to the transcript;

20 --X--- No request was made that the transcript
21 be reviewed pursuant to Section 30(e) of the Federal
22 Rules of Civil Procedure.

23 I further declare that I have no interest in the
24 event of the action.

25 I declare under penalty of perjury under the laws
of the United States of America that the foregoing is
true and correct.

WITNESS my hand this 9th day of September, 2017.



ANRAE WIMBERLEY
CSR NO. 7778